

**MINUTES
OF
THE UTAH RADIATION CONTROL BOARD**

March 7, 2008

Department of Environmental Quality, DEQ Building #2

Conference Room 101

168 N 1950 W

Salt Lake City, Utah 84114-4850

BOARD MEMBERS PRESENT

Kent J. Bradford, P.G., Chair
Stephen T. Nelson, Ph.D., Vice Chair
Richard W. Sprott, DEQ Director
Dane L. Finerfrock, Executive Secretary
Scott Bird
Patrick D. Cone
Frank D. DeRosso, MSPH, C.I.H.
Christine K. Gardner
Elizabeth Goryunova, M.S.
Peter A. Jenkins, M.S., CHP
Joette E. Langianese, Commissioner
Joseph K. Miner, M.D., MSPH
Gregory G. Oman, D.D.S., B.S.
John W. Thomson, M.D.

PUBLIC

Judy Fahys, Salt Lake Tribune
Julie Felice, Intermountain Health Care
Alan C. Grundvig, ATK Launch Systems
Charles Judd, Cedar Mountain
Environmental, Inc.
Mark Ledoux, , EnergySolutions
James O'Neal, Citizen
Arthur Raymond, Deseret Morning News
Tye Rogers, EnergySolutions
Todd Schmanski, ATK Launch Systems
Christopher Thomas, HEAL - Utah
Representative, Vern Rogers and Assoc.

BOARD MEMBERS ABSENT/EXCUSED

Elizabeth Goryunova, M.S.

**DRC STAFF/OTHER DEQ MEMBERS
PRESENT**

Edith Barker, DRC Staff
Craig Jones, Section Manager
Laura Lockhart, Attorney General's Office
Yoli Necochea, DRC Staff
Raymond Nelson, DRC Staff
Loren Morton, Section Manager
Bill Sinclair, DEQ Deputy Director
Donna Spangler, DEQ/Office of Policy and
Planning

GREETINGS/MEETING CALLED TO ORDER

The Utah Radiation Control Board convened in the Department of Environmental Quality (DEQ), Conference Room 101, 168 North 1950 West (DEQ Bldg. #2, Salt Lake City, Utah, 84114-4850. Kent J. Bradford, P.G., Chair, called the meeting to order at 2:00 p.m. He welcomed the Board Members and the public. Kent J. Bradford, Chair, indicated that if the public wished to address any items on the agenda, they should sign the public sign-in sheet. Those desiring to comment would be given an opportunity to address their concerns during the comment period.

I. APPROVAL OF MINUTES (Board Action Item)

a. Approval of the February 1, 2008 Board Meeting

Kent J. Bradford, Chair, asked the Board for corrections to the minutes from February 1, 2008. Kent J. Bradford requested the following corrections:

1. Page 4, Item VIII., under subtitle “Public Comments,” Vanessa Pierce, first paragraph, which reads: “She said uranium . . .” changed to read: **“She said she considers it to be a regulatory loophole.”**
2. Page 9, Item VIII., under subtitle “Public Comments,” third paragraph which reads: “Brian Mitch, . . .” changed to read: **“Moench”**
3. Page 9, Item VIII., under subtitle “Public Comments,” fourth paragraph which reads: “Steve Ericksen. . .” Changed to read: **“Erickson”**

MOTION MADE BY SCOTT BIRD TO APPROVE THE MINUTES AS AMENDED.

MOTION SECONDED BY JOHN W. THOMSON

MOTION CARRIED AND PASSED UNANIMOUSLY

II. RULES (Board Action Item)

a. Proposed Rule R313-15, “Standards for Protection Against Radiation”

Craig Jones, Section Manager, said that at the December 7, 2007 Board meeting the Board approved and sent R313-15 out for public comment. There were no public comments received. The Executive Secretary would like the Board to approve the changes to the Utah Radiation Control Rules and establish March 17, 2008 as the effective date.

MOTION MADE BY PATRICK D. CONE TO ESTABLISH

MARCH 17, 2008 AS THE EFFECTIVE DATE FOR R313-15.

MOTION SECONDED BY SCOTT BIRD.

MOTION CARRIED AND PASSED UNIAMOUSLY

**III. RADIOACTIVE MATERIALS LICENSING/INSPECTION
(No Items)**

IV. X-RAY REGISTRATION/INSPECTION (No Items)

V. RADIOACTIVE WASTE DISPOSAL (Board Action Item)

**a. Consideration of the Subcommittee Letter to the U.S. Nuclear
Regulatory Commission Regarding the Disposal of Foreign Generated
Low-Level Radioactive Waste**

Chairman Bradford asked Tye Rogers, *EnergySolutions*, to read Steve Creamer's letter, *EnergySolutions'* Chairman and CEO. The letter addressed *EnergySolutions'* intentions and the impact that Mr. Creamer felt that foreign waste would have, if it were disposed of at *EnergySolutions*.

The Board Members discussed Steve Creamer's letter and issues regarding *EnergySolutions'* accepting Italy's waste.

The Board directed a sub-committee of Board Members to draft a letter to the U.S. Nuclear Regulatory Commission. Chairman Bradford read the draft letter. The Board Members discussed the draft letter and requested a few changes.

**MOTION MADE BY PATRICK D. CONE TO AMEND AND SEND
THE LETTER TO THE CHAIRMAN OF THE U.S. NUCLEAR
REGULATORY COMMISSION.**

SECONDED BY RICHARD W. SPROTT.

MOTION CARRIED AND PASSED UNIAMOUSLY

Chairman Bradford asked the Executive Secretary to make the letter available on the Division's web site after mailing it to the Chairman of the U.S. Nuclear Regulatory Commission.

VI. URANIUM MILL TAILINGS UPDATE (No Items)

VII. OTHER DIVISION ISSUES (No Items)

VIII. PUBLIC COMMENT

James O'Neal, Citizen, expressed his appreciation and gratitude for the letter that the Board prepared for the U.S. NRC.

Charles Judd, Cedar Mountain Environmental Inc., distributed a document and pictures to the Board Members. He expressed his concern regarding the capacity available at EnergySolutions. He said that he would provide additional information with his appeal. He said that he was granted an extension to file his appeal by the Board at the February 1, 2008 Board Meeting.

Chairman Bradford said that HEAL-Utah also made a request for an extension, and that he granted a time extension for them to file an appeal.

Tye Rogers, EnergySolutions, said that the Division of Radiation Control reviews the capacity at EnergySolutions. The State's capacity review takes six to eight months, and the State does not blindly accept EnergySolutions' capacity measurements.

Laura Lockhart, Attorney General's Office, cautioned the Board that this was "evidence before the fact" on both sides. She asked them to wait until the issue was "put before them" at a formal hearing.

Christopher Thomas, HEAL-Utah, thanked the Board for writing a letter to the Chairman of the U.S. Nuclear Regulatory Commission. He said that the letter would send a strong message to Utah's leaders who have not made a stand on the issue of foreign waste. He said that the issue of accepting foreign waste was a matter of importance for the people of Utah and for the Board.

IX. OTHER ISSUES (No Items)

Next Scheduled Board Meeting: April 4, 2008, DEQ Bldg #2, Conference Room 101, 168 North 1950 West, Salt Lake City, Utah 84114-4850 2:00 – 4:00 P.M.

THE BOARD MEETING ADJOURNED AT 2:40 P.M.